## OHMERC Public Meeting - April 7, 2021

H*O	HMERC Regular Public Meeting - 04/07/2021 Page 1		Page 3
1	OKLAHOMA HAZARDOUS MATERIALS		
2	EMERGENCY RESPONSE COMMISSION	1	MR. HOYLE: This regular meeting of the
3		2	Oklahoma Hazardous Materials Emergency Response
4		3	Commission is called to order.
5		4	Ms. Quiana, can we please have a roll call?
6		5	MS. FIELDS: Curtis Driscoll?
7		6	MR. DRISCOLL: Here.
8		7	MS. FIELDS: Mr. Galloway?
9	OHMERC REGULAR PUBLIC MEETING	8	MR. GALLOWAY: Here. MS. FIELDS: Major McCoy?
10	April 7, 2021 - 1:30 p.m.	9	MR. MCCOY: Here.
11	, , , , , , , , , , , , , , , , , , , ,	11	MS. FIELDS: Ms. McKelvey?
12	VIRTUAL ZOOM MEETING	12	MS. MCKELVEY: Here.
13		13	MS. FIELDS: Mr. Graves?
14		14	MR. GRAVES: Here.
15		15	MS. FIELDS: Mr. Hickman?
16		16	MR. HICKMAN: Here.
17		17	MS. FIELDS: Mr. Hoyle?
18		18	MR. HOYLE: Here.
19		19	Is that everybody, Bonnie or Quiana?
20		20	MS. FIELDS: Cliff, I can hear you now. It
21		1	was frozen, my computer.
22		22	MR. HOYLE: So you got the you got the
23		1	roll call?
24		24	MS. FIELDS: Yes. I said you last, and I
25	Bonontod huy Lovi L. Dohauta CCD No. 1500	1	couldn't hear you, but my computer had froze.
25	Reported by: Lori L. Roberts, CSR No. 1588		obdiant floar you, but my computer had noze.
H*O	HMERC Regular Public Meeting - 04/07/2021 Page 2		Page 4
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- 1 OSU, Hickman was a student firefighter with the
- 2 Stillwater Fire Department, began his paid career
- 3 with the Sulphur Fire Department in 1982 and was
- 4 eventually promoted to fire chief for the city and
- 5 worked as an investigator with the Oklahoma state
- 6 fire marshal's office. He's also served as volunteer
- 7 firefighter for Davis, Oklahoma, as well.
- 2005 he accepted the chief position at the
- 9 Mustang Fire Department and served as Mustang's fire
- 10 chief for almost 13 years from 2005 until his
- 11 retirement in December 2017, but he didn't stay
- 12 retired long and the pandemic called him in October
- 13 2020 and he was asked to serve as the state fire
- 14 marshal in a very unique time. So please welcome
- 15 Carl Hickman.
- Chief, you got anything to say?
- MR. HICKMAN: Well, thanks, first of all, for
- 18 that -- for all that. I'd forgotten some of that. I
- guess when you've been around 40 years, you forget what all you did maybe.
- Actually, I started here in 2019, so October
- 22 of 2019 was really when I came here. So I would just
- tell this committee today that when I came in, I came
- 24 in obviously as the interim and told them that I was
- 25 not their long-term -- I didn't plan on being here

- He and his wife Becky have three children.
  - 2 two daughters who are seniors in college, and a son
  - 3 who's a sophomore in high school. Chad is a member
  - 4 of the Chickasaw Nation, active member of the First
  - 5 Baptist Church of Ardmore, and his hobbies include
  - 6 hunting and spending time on the lake. I can
  - 7 appreciate that. And announcing high school sports
  - 8 there in Ardmore also. So please welcome Mr. Chad
  - 9 Graves.
  - Mr. Graves, got anything to say?
  - MR. GRAVES: No. Happy to be here and I appreciate the opportunities.
  - MR. HOYLE: Glad you're here. Our agency has a long history of working very closely with the
  - L5 Valero refinery, it's always been a great partnership
  - 16 and easy to work with you guys, so glad you're on
  - this commission.
  - My staff, we've had some changes also. We've
  - 19 got a new staff member here at DEQ, Mr. Tommy
  - 20 Holbrook. Tommy comes after many years of serving at
  - 21 the -- with the baboon research facility,
  - 22 Mr. Holbrook?
  - 23 MR. HOLBROOK: That's it. The University of Oklahoma.
  - MR. HOYLE: So he's our resident monkey

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- 1 long term. I really looked at being here three or
- 2 four months at the time. And then, of course, COVID
- 3 and with all the things that went on with that, here
- 4 it is, 18 months later and I'm still here.
- So -- but I have announced that I really am
- 6 going to retire, I hope for good, the end of this
- 7 month. So May the 1st there will be a new state fire
- 8 marshal, but as long as I'm here, I'm in 100 percent.
- 9 So this may be my only chance to be a member of this
- 10 committee, but I'm pleased to be here. Thank you.
- MR. HOYLE: That'll work. We appreciate you showing up.
- So our other new commission member
- 14 representing the regulated industry is Mr. Chad
- 15 Graves, and he's the staff environmental engineer at
- 16 the Valero refinery in Ardmore, Oklahoma, and has
- 17 been at the refinery since 1994. He has an
- 18 environmental science degree from East Central
- 19 University, go Tigers. I played baseball there.
- Chad is a member of the facilities and
- 21 merchant response team serving as a firefighter and a
- 22 member of the rogue rescue team, member of the
- 23 medical team, as a national registered EMT, served on
- 24 the Valero instant command system as the spill
- 25 response coordinator.

- 1 farmer, that's what we like to say.
- Some additional changes. I, myself, have
- 3 accepted a new position here within the agency. I'm
- 4 the new assistant division director for land
- 5 protection, so this potentially could be my last
- 6 meeting. We'll see how it goes.
- 7 In addition to that, Mr. Bergman has been
- 8 threatening retirement for several years, but he's
- 9 acting like he's serious now, so this potentially
- 10 could be Mr. Bergman's last meeting as well, which is
- 11 -- which is saying a lot since Mr. Bergman is
- 12 responsible basically for building this program here
- 13 at DEQ from the ground up.
- So, Mr. Bergman, do you have anything to say
- 15 or want to correct my facts in any way?
  - You're on mute, Mr. Bergman.
- MR. BERGMAN: No corrections, really. I will
- 18 continue to work in hazmat for the State of Oklahoma.
- 19 As far as I know, I have no plans to discontinue the
- 20 hazmat training that I do, nor the LEPC support that
- 21 I do, if asked, and I'm signed up for two more years 22 as the president of the National Association of SARA
- 23 Title III Program Officials. And if this body wants
- 24 me to continue to contribute, I'm happy to do that as
- 25 well. What I'm probably not going to be happy to do,

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1 and maybe Carl's the same way, is go down to the 2 office every day, you know. I'm perfectly willing to

- 3 be a resource and a member or whatever you guys want.
- 4 I'm not dropping out of life, just dropping out of
- 5 everyday work, you know. I'll do the -- I'll do the 6 part-time stuff.

MR. HOYLE: All right. Well, of course, you

8 know I appreciate that and the agency appreciates

9 everything you've done, Tom, so it's good to hear.

10 MR. BERGMAN: Yeah, I got class tomorrow. 11 I've got classes scheduled from here to Tucumcari 12 now.

13 MR. HOYLE: Opened back up. That's right.

14 All right. Moving along here. Ms. Bonnie

15 McKelvey, do you want to provide us an update on the OEM grant and training classes?

17 MS. MCKELVEY: Well, it'll be kind of short 18 because I actually did not prepare a good report for

19 you. I will say -- I do want to thank Tom, though,

20 for all the support he's provided, my goodness, for 21 our projects that we've had through the state, OEM

22 office, with the LEPC's and with the -- another

23 project using our HMEP money, and he's been such a

24 valuable resource and I'm hoping will continue to be

25 so. So looking forward to working with him, continue

1 -- Cliff, if you'll send me updated email contacts.

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MR. HOYLE: Will do. I can do that, for

3 sure. Thank you, Ms. Bonnie.

MS. MCKELVEY: I appreciate it. 4

MR. HOYLE: Good to hear your voice.

6 MS. MCKELVEY: Yeah, it's good to hear all of

you all's voice and welcome all the new people. And I'm going to miss you and Tom on this meeting. You

all been around for a minute.

else, how about that?

I want to thank you also, Cliff, for your 10

11 leadership on this. You've been a great asset too and we appreciate all you've done.

MR. HOYLE: Well, it's been fun, if nothing 13

MS. MCKELVEY: Right. It's been interesting. 15

MR. HOYLE: All right. So we've got our DEQ 16

17 data management report coming up.

Boys, we're ready for the show. Who's going 18

to lead it? 19

20 MR. WORMUS: Cliff, just give me one second 21 to get it set up so I have everything on one screen.

MR. HOYLE: Okay. Matt, if you can't tell,

23 is our information and technology guru, especially

24 here in the Land Protection Division. He does all of

25 our council meetings.

Page 10

1 working with him.

I note we have -- obviously, the training 2

3 took a little pause as far as with OSU fire service

4 training; however, John Carpenter has done a

5 magnificent job of continuing training and actually

6 just going to town on training. He's provided a lot.

7 We had the little pause and he just figured out some

8 ways to do the training safely. I don't have numbers

9 for how many trainings he's done, but it's been a lot

10 compared to what he had to face, you know, due to the

11 COVID restrictions. 12 We were also -- with the HMEP money, in lieu

13 of the training, were able to purchase some

14 monitoring equipment, rather high-dollar monitoring

15 equipment for our OSU fire service training to use 16 for their training, so that was a big boost and -- to

17 their program.

18 The grant, I have applied for the grant for 19 this year. I haven't heard back yet. We have closed

20 the past grant and so the -- this year will be the

three for this round of grants. It's a three-year

22 grant now as of about six years ago. So the next

23 grant will be awarded by September, October of 2021.

So that's really kind of all I have to 24

25 report. I can send something out with more detail if

MR. DRISCOLL: Hey, Cliff, Curtis here. 1

MR. HOYLE: Yeah. 2

MR. DRISCOLL: I'd like to tag in with part

4 of Bonnie's report. When we were working through

5 your office to buy those Hazmat Elites we used the

6 FT-IR technology, we ran out of funding and so OSU

7 reached out to OEM and they were able to pull in that

8 technology for fire service training so that when

they do that training, they actually have actual

10 equipment to take to the stations to do

11 demonstrations, do training, you know, so that was --

they did a great job stepping up for us there.

MR. HOYLE: Excellent. Good to hear.

14 MR. DRISCOLL: So shout-out to OEM.

15 MS. MCKELVEY: Thank you, Curtis.

16 MR. DRISCOLL: Absolutely, Bonnie.

MR. WORMUS: All right. Can everyone see the 17

18 screen and the little slide show?

MR. HOYLE: Indeed.

MR. WORMUS: Awesome.

All right. So here's the latest updates from

22 **DEQ:** We just finished up Tier 2 reporting, and as of

yesterday afternoon we had 49,335 reports collected

24 and that puts us about 94 percent of everything that

25 was collected last year. So there's still more

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auditing that needs to get done, but we're, luckily,
at approximately like 95 percentile that we start
sending out files to everyone, so that should
be happening within the day, so that's good there.

be happening within the day, so that's good there.

Here's the breakdown of those 49,335: 1,425

stored extremely hazardous substance materials; 2,748

did not have any extremely hazardous substance

materials stored on site; 41,797 were oil and gas

wells; 3,323 were wind farms; 313 fell underneath the

risk management program; and we had 42 that were

large quantity generators of hazardous waste. So

that's kind of the rough breakdown of everything

right now. And then --

MR. HOYLE: Hey, Matt, is that individual wind turbines?

MR. WORMUS: Yes. Yes, it is. That's kind
for broken down between I -- I think there was roughly
about -- so I think we have eight or nine full wind
farms that are filing reports with us now, so -but if someone would like, we can do a better break
down of everything else. It's just we're over in

22 MARPLOT right now and not over into t 23 MR. GALLOWAY: And Matt?

24 MR. WORMUS: Yes.

25

MR. GALLOWAY: That's a moving target,

1 alpha and beta testing for that software. So that's2 been fun to use.

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Page 16

An update on our MOA numbers, so we'll do
multiple years because we haven't -- it's been a
while. So last year for FY2020 we got 72 out of 77
counties and so far this year we've gotten 68 out of
77 counties. And that's just a breakdown of which
counties -- green is good, red -- red counties did
not submit one last year, so that's kind of where we
stand for now on the MOA's for the Tier 2
distribution.

For payment applications and if the spreadsheet was correct, we awarded \$43,000 in payment applications for the distribution of Tier 2 reports last year, so that was good for those LEPCs.

So as we mentioned too, CAMEO training is starting to ramp back up for Tom and everyone else,

18 but this is a little snapshot of what was done in

19 2020. Usually it's a map that's full of dots across

20 the country, but because of travel restrictions,

21 there's only three. There's one in Colorado Springs;

22 Augusta, Georgia; and then Tom also implemented a

23 virtual CAMEO training, so --

MR. HOYLE: Was that just one virtual training, Tom, or multiple? Did you record it or

Page 14

2

1 because I'm getting about 200 more in Custer County.

MR. WORMUS: Yeah. We had a few more that joined on for this year and I've made good contact

4 with a large amount of the ownership groups that are

5 running multiples of these and so they kind of know6 to file Tier 2, so looking at numbers. So I expect

7 that number to keep going up, so that's been good for

8 the past few years as we started off on that side9 quest of getting individual reports for each one of

the towers to help you guys out. So that's kind of the Tier 2 breakdown.

For the data management, our section,
sepecially Tom and I were -- we kind of helped out
with the beta testing for the new EPA CAMEO Data
Manager software program and the yearly release of

16 the Tier 2 submit programs. So the software that we
17 use to store all the Tier 2 reports is an EPA -- it's

an EPA MOA software and it's a full face as you can see in the photo where it kind of looks like the Tier

20 2 reporting software, but it's enabled us to do

21 -- add in multiple years and -- and like, for

22 example, mine now has 2017, 2018, 2019 and 2020 data

all stored into one area and we could also haveinformation about routes and special locations just

25 in one central location. And Tom was integral in the

1 multiple times did you have virtual trainings?

I think you're still muted, Tom.

MR. BERGMAN: So that's something I started developing last summer and I did a trial cohort in

5 October, after it'd been in development. And the --

6 moving forward, what I've done is utilized -- went

7 into partnership with a university out of Colorado

who provides the training platform, if you will. To

9 purchase one myself was astronomically expensive, it

10 was like \$50,000. They have a platform currently,

11 they're just kind of allowing me to use it, and I

12 went ahead and scheduled and completed a training in

13 August -- or, I'm sorry, in March and we're in the

14 middle of doing one now. So I didn't really count

15 those, but upcoming over the next five weeks, I'm

L6 going to go back and start doing in-person training.

17 Yuma, Arizona; Greeley, Colorado; and Salem, Oregon,

18 so I'm going to be out of the office for a while.

19 Not that I was in office, anyway, because -- I'll be

20 out of my house for a while.

MR. HOYLE: All right, then.

MR. WORMUS: So that's the latest on CAMEO training.

We've also been doing a lot of training for

25 Tier 2 reporting, so in December of 2019, Tom and I

Page 17

- 1 held 10 training workshops in Oklahoma City, not
- 2 including usual travel around the state, but just
- 3 training opportunities. And we had over 210
- 4 reporters for those workshops that we stored here at
- 5 DEQ. And then last December we held a virtual
- 6 training over on Zoom and had -- and for that
- 7 training we had 212 members attended, and because it
- 8 was also recorded, we were able to get it posted on
- 9 the DEQ Youtube page as well and -- so that anyone
- 10 who wanted to go back and watch it, they could have
- 11 full access to it. And if anyone wants, that video
- 12 is also linked in this presentation so you can watch
- 13 Tom's training that was held last winter. So that's 14 training.

15 As usual, we do a whole bunch of industry 16 outreach and assistance, so in FY2020 between phone 17 calls and emails we had over 8,515 phone calls and

emails to industry regarding reporting. We also

attended 25 LEPC meetings across the state and then

so far in this fiscal year we've had 5,841. And then

21 we've attended 26 LEPC meetings. And I'm imagining

that will keep going up as more and more LEPCs start

doing more in-person meetings.

24 And that's pretty much the end of our data 25 management report. Again, if anyone ever needs

- 1 up to. And, frankly, I mean, I've been on --
- 2 visiting with them the last couple of months.
- 3 They're putting out a new LEPC or EPCRA video. So

Page 19

Page 20

- 4 we're all friends here, right? Sound like to me a
- 5 staff that wasn't doing much and got bored and
- 6 decided they'd make a video. But we got to make
- 7 comments on, got some of the things changed on it.
- 8 But, frankly, I don't think anybody -- I don't,
- 9 Gabelhouse (phonetic) doesn't have really much of an
- 10 idea what's going to go on with EPA concerning EPCRA.

11 We know there's a bunch of things going on at 12 EPA headquarters, there certainly are a lot. And,

13 Cliff, we have people from DEQ tracking all kinds of

things EPA headquarters is up to, but I don't hear

15 them talking about EPCRA very much, so maybe we'll

escape the chisel, but you never know. We -- we do

17 try to keep track of that.

And the other thing I was curious about, if 18

19 anybody has any questions about that, you can

certainly get with me offline.

Mr. Graves, do you participate with the

Carter County LEPC as well? 22

MR. GRAVES: Yes, we are a member of the LEPC

24 and we participate in drills and obviously spill

25 response and things like that, so --

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- MR. BERGMAN: Sure. Who usually attends from
- 2 your facility? Is that you or somebody else?

21

- MR. GRAVES: No, typically in the past it was
- 4 our fire chief. It's probably going to be Grea 5 Elliott for the time being until we make our
- 6 transition to a new fire chief there at the
- 7 department.
- MR. BERGMAN: Yeah, I haven't been there in
- person for a bit, so Carter County's actually kept
- 10 having meetings. They never went virtual, as far as
- 11 I know. I've been to virtual meetings all over the
- state, but I haven't been to one in person since last
- March, you know, so I didn't know who was still
- actively doing that. I know they're active because I
- 15 still get all the emails, come to our meeting, we'll
- have pizza, but I can't go.
- 17 MR. GRAVES: Yeah.
- 18 MS. MCKELVEY: Tom, Region 6 EPA, is there
- 19 any chance or anyone talking about continuing what
- Steve -- his presentations he did for the states, you
- 21 know, and for -- in this region? I was wondering
- 22 that, because those are really great, but I didn't
- 23 figure anyone would pick up that.
- 24 MR. BERGMAN: Actually, Steve went back to 25 work at EPA as a SEE employee, if you know what that

- 1 anything, this is the -- our brand-new web page on
- 2 the DEQ website with all of our stuff about reporting
- 3 and spill reporting and OHMERC, CAMEO and everything
- 4 else. And this is all we have for the report right 5 now.
- So are there any questions or --6
- 7 MR. HOYLE: Any questions for Matt or Tom?
- MR. BERGMAN: Did you say something, Cliff? 8
- MR. HOYLE: I said any questions for Matt or 9 10 Tom?
- MR. WORMUS: Thank you. I'll switch this 11
- stuff around, then. 12
- MR. BERGMAN: I'd like to note that the 13
- 14 national association of which I'm currently the 15 president had to cancel all their conferences as
- 16 well, so we've been doing webinars. And Mr. Galloway 17 was kind enough to share in one of our webinars last
- 18 month which was a panel discussion by LEPC
- 19 chairpeople about how their operations had changed
- 20 during the pandemic. And we do have a webinar each
- 21 month of different kinds of topics. Of course, the
- 22 commission members are always welcome to attend and
- 23 it's free anyway, so anybody could attend.
- 24 One of the things that we try to do to keep 25 real close tabs on is what is the EPA headquarters is

Page 21 Page 23 1 is. 1 MR. GALLOWAY: All right. 2 MS. MCKELVEY: No. 2 MR. HICKMAN: So, Cliff -- Carl Hickman. MR. BERGMAN: Senior environmental employee. 3 3 state fire marshal's office. Just -- I want to offer 4 So EPA has a long history of bringing their retired my congratulations to you on your promotion or 5 personnel, if they're so inclined, back to work for condolences, whichever. 6 them, but at a part-time level and much less pay and And, Tom, I know you and I've crossed paths 7 have specific duties or things, but it's a great 7 over the years at different things and events, but 8 program. 8 good luck in your retirement and I hope to see you Oftentimes, in my experience through the 25 around. 9 10 years, the SEE employees were the ones, to me, that 10 MR. HOYLE: You too. Thanks, Chief. 11 had the best ideas and the most knowledge. I mean, 11 All right. Any public on the line, Matt? Do 12 they've been around a long time. 12 we have any public --13 MS. MCKELVEY: Right. MR. WORMUS: Nope. 13 14 MR. BERGMAN: Hate for that to go to waste. 14 MR. HOYLE: -- that wishes to comment? 15 But they have limited his activities to the regional 15 All right. Imagine that. 16 response team. Well, at this point we've got nothing left. 16 17 MS. MCKELVEY: Okay. 17 I will entertain motion for adjournment. 18 MR. BERGMAN: And he's not participating with MR. MCCOY: Jack McCoy, I make the motion 18 19 anything to do with EPCRA and I don't foresee -- he 19 that we adjourn. 20 doesn't foresee that will be coming, so this group 20 MR. GALLOWAY: Mike Galloway and I second. 21 might want to consider doing those LEPC outreaches 21 MR. HICKMAN: Carl Hickman and I second. 22 now that we can, you know, maybe. MR. HOYLE: We got two seconds, all right. 22 23 MS. MCKELVEY: Right. 23 Motion and a second, all in favor, say ave. 24 MR. BERGMAN: When we can go back to having MULTIPLE SPEAKERS: Aye. 24 25 those. 25 MR. HOYLE: All right, you all, thank you Page 22 Page 24 1 MS. MCKELVEY: Yeah, I would really like to 1 very much. 2 do that. MS. MCKELVEY: Thank you, Cliff. Meeting MR. BERGMAN: You, Curtis, we always had 3 concluded at 2:11 p.m. 4 Steve George involved, but he's long gone. I don't (Deposition concluded at 2:11 p.m.) 4 5 know if John Carpenter maybe. Maybe we could all 5 6 have a discussion about revitalizing or re- -- just 6 simply starting them again as our own outreach. 7 MS. MCKELVEY: Okay. Sounds good. Thank 8 8 9 you. 9 10 MR. HOYLE: All right. Well, we had a pretty 10 11 short agenda today, so we've reached the point to 11 anybody wants to bring up any topics before the 12 13 commission, any new business or questions, concerns 13 anybody wants to bring forth, now is the time. 14 14 MR. GALLOWAY: As a -- I think my appointment 15 15 is about due, and I didn't know how that's handled. 16 16 I think my appointment expires in July, so I didn't 17 17 18 know what steps DEQ or do I do it or -- as long as 18 19 I'm still working, I don't mind staying, but I 19 20 probably need to be reappointed. 20 21 MR. HOYLE: Okay. That'll come through the 21

25 on the calendar.

23

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22 -- our capitol liaison's office.

MR. GALLOWAY: Okay.

MR. HOYLE: So that should just be automatic

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## OHMERC Public Meeting - April 7, 2021

	Page 25	
1	CERTIFICATE	
2	I, Lori L. Roberts, Certified Shorthand	
3	Reporter for the State of Oklahoma, certify that the	
4	foregoing proceedings are a true and correct	
5	transcript of the record of the machine shorthand	
6	notes taken by me and transcribed into written form	
7	under my supervision, direction and control.	
8	I further certify that I'm neither related to nor	
9	attorney for any interested party in the named	
10	action, nor otherwise interested in the outcome of	
11	said action.	
12	IN WITNESS WHEREOF, I have hereunto set my	
13	hand and seal of office this 16th day of April, 2021.	
14	1/) . 0	
15	Louvoholk	
16	NOU (OUD)	
17	Lori L. Roberts CSR No. 1588	
18	Commission Expires: 12/31/21	
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